



**MOTOR VEHICLE ARBITRATION BOARD
CASE ACCEPTANCE LETTER**

State of Vermont
MOTOR VEHICLE ARBITRATION BOARD
Department of Motor Vehicles
120 State Street
Montpelier, Vermont 05603-0001
dmv.vermont.gov

Agency of Transportation

[phone] 802-828-2943
[fax] 802-828-2092
[ttd] 711

Re: Consumer v. Manufacturer

VIN:

Dear Consumer and Manufacturer:

- Please read all pages to be informed of arbitration procedures and fulfill your responsibilities where indicated.
- The Demand for Arbitration for the above-referenced matter was accepted as complete / / .
- A hearing notice with directions to 133 State Street, Room 410, Montpelier will be issued approximately 2 weeks prior to / / , the hearing date.
- **Contingent on the number of Demands:** The case may be in the pending Section B and moved to Section A with a designated time if any of the scheduled cases withdraw. If an opening does not occur, the case will be heard on the next hearing date. Both parties will be notified in either situation.
- The consumer may withdraw the claim if the manufacturer's final repair attempt is accepted as correcting the claimed defect(s) or condition(s). The case will be closed but may be reopened if the defect(s) or condition(s) recurs, the vehicle is still within the manufacturer's express warranty and a hearing is requested.
- The consumer will continue to hearing if not satisfied with the vehicle's condition after the final repair attempt and explain how the claimed defect(s)/condition(s) substantially impairs the vehicle's use, market value or safety or a combination of these standards. The consumer may continue to hearing even if the claimed condition appears repaired.
- A final repair applies to "3-times-out" and "30-days-out-of service" claims. The defect for a "30-days-out-of-service" claim is the time period and warranty repair history within the timeframe.
- Pursuant to Board rule #9, each party shall provide all documents and records relevant to the Demand for Arbitration to each other and the Board at least three days prior to hearing. This includes Technical Service Bulletins (TSBs), special service statements, **technician notes from each repair order**, owner maintenance records and similar items.

- If the parties agree to a pre-hearing settlement, a copy of the written terms with signatures should be e-mailed to DMV-LemonLaw@state.vt.us; faxed to 802-828-2092 or provided by mail to the above address to be received by the Board office preferably several days prior to hearing.
- If a settlement is not attained, the consumer should prepare for hearing by outlining the vehicle facts in writing as a personal reference for presentation.
- The manufacturer should prepare for hearing by responding to any reasonable request by the consumer for additional documentation from Section 7 of the Demand and provide it to the consumer and Board at least three days prior to hearing.
- Additional information may not be added to the record by either party after the hearing closes. Information obtained by the Board members during a test drive or vehicle inspection completes the hearing record.
- The **CONSUMER** should produce five readable, assembled sets of material already submitted to the Board office and manufacturer. The case file sets should be mailed or delivered to the Board office address on page 1 so they are received at least 3 days prior to hearing.
- **ANY ADDITIONAL DOCUMENTATION NOT ALREADY SUBMITTED SHOULD BE IDENTIFIED AS "NEW" and forwarded by the consumer to the Board office and manufacturer to be received 3 days prior to hearing. Please remember to enclose an EXTRA copy of additional documentation, not already submitted, for the official case record.**

Each copied set of the case file, which will be distributed to Board members, should be in this order, if applicable:

1. Demand for Arbitration (Place the completed Demand copy first and any succession of submitted incomplete ones thereafter.)
2. Copy of active insurance card
3. Copy of current state vehicle registration
4. a) Documentation of the total interest charges paid to date from the lienholder with a copy of the financial contract (may be titled Retail Installment Contract) and the Vermont Disclosure form of amount financed within a retail installment contract.
b) If the vehicle was leased, a complete copy of the lease, including an itemization of the gross capitalized cost
5. Vehicle purchase contract
6. Documentation of **itemized** motor vehicle registration, title fee and similar charges if not listed within the purchase contract or lease agreement.

7. The portion of the manufacturer's express warranty outlining coverage for the claimed defect(s)/condition(s) by time or miles, including exclusions.
 8. Repair order summary
 9. Repair orders arranged from first repair to most recent one. The final repair order or written examination from the visit should be included.
 10. A copy of any official receipts for incidental/consequential damages relating to the vehicle as towing charges or rentals that weren't reimbursed.
 11. Any other evidence pertaining to the claim or information submitted to the Board and manufacturer in addition to the preceding.
 - Personal information as social security numbers and birthdates may be deleted.
- The MANUFACTURER should supply six legible copies (five for the Board members and one for the official record) of the manufacturer's response form, provided with the hearing notice or available on-line, within five days pre-hearing.
 - Evidence as the final repair order, applicable technical service bulletin(s) (TSB), special service statements, technician notes for each repair order or similar must be filed with the Board and consumer to be received by both at least 3 days prior to hearing.
 - The MANUFACTURER should consider having a technical representative at the hearing familiar with computer diagnostic codes, technical service bulletins and similar items applicable to the subject vehicle.

Please refer to the arbitration office contact information on page 1 if you have any questions.

Thank you.